

REMARKS

Reconsideration is respectfully requested.

Claims 22 through 29 remain in this application. Claims 1 through 21 and 30 through 32 have been cancelled. No claims have been withdrawn. Claims 33 through 39 have been added.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Part 1 of the Office Action

Claims 31 and 32 have been objected to for the informalities noted in the Office Action.

Claims 31 and 32 have been cancelled, and therefore the objection to these claims is submitted to be moot.

Parts 2 through 7 of the Office Action

Claims 1 through 4, 6, 7, 9, 10, 13 through 15, 18, 22 through 29 and 31 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Seemann in view of Gaukel.

Claims 8, 16 and 17 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Seemann and Gaukel as applied to claim 1 above, and further in view of Miyashita.

Claims 11 and 12 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Seemann and Gaukel and further in view of Leibowtiz.

Claim 19 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Seemann, Gaukel and Miyashita and further in view of Leibowtiz.

Claim 30 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Seemann in view of Gaukel and further in view of Pottratz.

Claim 32 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Seemann in view of Gaukel as applied to claim 1 and further in view of Miyashita, Leibowitz and Chien.

Claim 22 requires, in part, “a camouflaging receptacle adapted for a user to carry or wear” and “a liner disposed within the camouflaging receptacle, the liner cooperating with the camouflaging receptacle so as to form a concealed cavity that is not visible from the interior of the liner”.

The rejection does not appear to address this requirement directly, as the rejection alleges that Seemann discloses “a purse which camouflages an interior illumination means 22” and “a liner 12”. However, the alleged liner 12 does not define the concealed cavity as required by the claims to “form a concealed cavity that is not visible from the interior of the liner”.

Further, the rejection does not appear to address other requirements of claim 22, including “telecommunications circuitry disposed within the concealed cavity and in electrical communication with the alarm circuitry” and “the alarm circuitry is adapted to provide an alarm signal to the telecommunications circuitry upon operation of the alarm switch... wherein, upon receipt of the alarm signal, the telecommunications circuitry is adapted to initiate a radio telephone communication to a predetermined emergency assistance service within a radio telephone system”. (Clearly neither the Seemann nor the Gaukel patent discloses the operational aspects set forth in claim 22.

With respect to claim 22, it is alleged in the rejection of the Office Action that:

Seeman teaches a receptacle system 42 (purse -cl. 25) which camouflages an interior illumination means 22, a liner 12 disposed within and cooperating with the receptacle to form a concealed cavity containing an alarm device, wherein the cavity is located between the liner and the receptacle (cl. 29), the receptacle provides a closure means and an access to a liner cavity whereby the alarm switch 28 is disposed on the receptacle (via straps) and is operable by the user without accessing the liner cavity (cl. 28), but lacks the teaching of an interfacing device.

(It is noted that the Seemann patent fails to disclose any processor.) It is also alleged in the rejection that the Gaukel patent discloses most of the element of the claimed invention that are not disclosed in the Seemann patent. It is then contended that:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the electronic equipment taught by Gaukel to the receptacle taught by Seaman in order to have more convenient access to various equipment such as a GPS or computer or to make these devices more easily portable.

However, it is submitted that this contention ignores the nature of the Seemann device and one of its primary objectives, which is to be wearable on the body of the user as well as being positionable in a handbag. For example, the Seemann patent states the object of its system at col. 1, lines 34 through 52, which state:

The present invention is a personal alarm and light device which can be worn by the user or alternatively releasably attached to a handbag. The device has an audible and visual alarm which can be actuated by the user. In addition, the device incorporates a light separate from the alarm which can be turned on to provide a steady source of illumination. The device may also include a third light source providing a flashing or intermittent light which, when the device is worn by a jogger or bicyclist, will assist in identifying the person to a motorist in low ambient light conditions. In the preferred embodiment, the device has a strap which can be used to secure the device to the arm or leg of the user. The strap has a Velcro.RTM. type material which is designed to cooperate with complementary Velcro.RTM. type material affixed to a handbag so that the device could alternatively be attached to the handbag of the user.

Thus, one of the primary features of the Seemann device is its ability to be worn on the person of the user, as well as being positionable in a handbag. The ability of the Seemann device to be worn on the user's body is further emphasized at col. 2, lines 53 through 55, where it states:

Attached to housing 12 is a strap 34 that can be used to attach device 10 around the arm or leg of a user of the device.

Further emphasis is provided at col. 3, lines 2 through 8, where it is stated that (emphasis added):

Affixed to and integral with housing 12 are a plurality of loop members 44. Loop members 44 allow device 10 to be carried by a user in some manner other than with strap 34. For example, a belt could be threaded through oppositely disposed loop members 44 whereby device 10 could be worn on the belt of a user of the device.

Finally, Seemann states at col. 3, lines 14 through 18 that:

A jogger or bicyclist may find it advantageous to wear device 10 around an arm or leg with the light source 24 turned on so that he or she could be more readily observed when exercising in diminished light.

Thus, the ability for the Seemann device to be wearable on the body of the user appears to one reading the patent to be a primary objective for the device. Therefore, it is submitted that one of ordinary skill in the art, considering the Seemann patent, would recognize that it would be important to maintain the wearable character of the device and thus would be motivated to maintain the relatively small character of the device so that it could be worn on the body without feeling bulky to the wearer or being in danger of coming loose from the body during movement of the attached body part. In fact, even installed in the handbag as shown in Figure 1 of the Seemann patent, the device is mounted on the interior wall surface by Velcro, which one of ordinary skill in the art recognizes requires a less bulky, lighter in weight character to avoid the device from coming loose from the wall of the handbag or blocking access into the interior of the handbag.

In contrast, the Gaukel patent discusses and shows a system in which the interior of a "cellular bag 30" is almost completely filled with the bulk of the components of the Gaukel system, which it is submitted that one of ordinary skill in the art recognizes is contrary to the purpose of the Seemann patent to provide a wearable device that might also be mounted on the interior wall of a handbag. The Gaukel cellular bag appears to have a singular purpose of providing tracking of a person rather than being something that might carry the user's belongings. It is submitted that one of ordinary skill in the art would recognize that the proposed modification of the Seemann device using the elected elements of Gaukel would certainly increase the weight and bulk of the Seemann device, and would make it less suitable for wearing on the body of the user or mounting on the wall of the handbag.

It is therefore submitted that the proposed modifications of the Seemann device set forth in the rejections would negate the central purposes and objectives of the Seemann teaching and thus would not be an obvious modification to one of ordinary skill in the art.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Seemann, Gaukel, Miyashita, Leibowitz, Pottratz and Chien set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 22. Further, claims 23 through 29, which depend from claim 22, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejections of claims 22 through 29 is therefore respectfully requested.

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CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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